1950.

File No. B. Travelling Allowance 150.

Legal Department.

B BRANCH

K

Subject:—

L. A. Bill No. L of 1950

[redacted] provide for the travelling Allowance to the members of the Bombay Legislature.

Bom. Act No. XLV of 1950

File No. B. Travelling Allowance/50

Gen. 194 e.

823-B

No. 4756
Legal Department.
Bombay Castle(Bombay No. 1), 8th April 1950.

From

Shri P.M.Lad I.C.S.,
Secretary to the Government of Bombay,
Legal Department.

To

The Secretary to the ~~Sux~~ Bombay Legislature Department.

Subject:- Amendment of the Bombay Legislature Members' Salaries and Allowances Rules, 1938.

Sir,

With reference to your endorsement forwarding a copy of your Memorandum No. 931, dated the 16th February 1950, addressed to the Accountant General, Bombay and requesting this Department to make the necessary amendment in the Bombay Legislature Members' Salaries and Allowances Rules, 1938, I am directed to observe as follows, namely:-

Under article 195 of the Constitution of India Members of the Legislative Assembly and the Legislative Council of the state are entitled to receive such salaries and allowances as may from time to time be determined by the Legislature of the State by law and until provision in that respect is so made salaries and allowances at such rates and upon such conditions as were immediately before the commencement of the Constitution applicable in the case of members of the Legislative Assembly of the corresponding Province. This article contemplates a new law by the Legislature of the State for fixing the salaries and allowances of the members of the Legislature of the State. If therefore any decrease or enhancement is to be made in the rates of the salaries and the allowances payable to the members immediately before 26th January 1950, it will be necessary to bring in fresh legislation. No alteration can therefore be made in the rates of travelling allowances to which the members of the Legislature are entitled at present by amendment of the Bombay Legislature Members' Salaries and

S.A.K./20-7

Allowances Rules, 1938, as proposed.

Your faithfully,

Sd/- P.M.Lad
6-4-50

Secretary to Government.

S.A.K.
20-7
4 copies

Legal Department.

1) The subject-matter of the Bill falls under entry 38 in List II in the Seventh Schedule to the Constitution of India. As the Bill does not relate to any matter enumerated in the Concurrent Legislative List, it will not be necessary to reserve the Bill for the consideration of the President with reference to article 254(2) of the Constitution. The Bill requires the recommendation of the Governor under article 207(3) of the Constitution. It does not require any sanction under the Constitution.

2) The draft Bill and the statement of Objects and Reasons may now be submitted to H.M.(L) for his approval. Under instruction 23(4) of the Instructions issued under the Rules of Business if the tentative draft Bill is approved by the Minister in charge, it shall be circulated to the other ministers and a copy supplied to the Governor and unless the Chief Minister directs otherwise the tentative draft Bill shall be brought before a meeting of the Council of Ministers. The approval of the Cabinet to the Bill may accordingly be obtained by circulation of the Bill to the H.M. s. It does not appear to be necessary to discuss it thereafter in the Cabinet meeting. As required under instruction 23(4), the papers may therefore be submitted to H.C.M. for orders that the Bill need not be brought before a meeting of the Council of Ministers.

Sd/-
7-9-50
S.S. Sd/-
9-9

S.A.S. Sd/-S.L.Chaudhari
12-9 14-9

Addl. Secy. Sd/-J.R.Dhuramdhar.
14-9

S.A.K. /30-7

No. 16162
Legal Department.
Bombay Castle. (Bombay No. 4). 18th November 1950.

From

Shri J.N.Dharmadhar,
Additional Secretary to the Government of Bombay.
Legal Department.

To

The Secretary to the Governor of Bombay.

Subject:- The Bombay Legislature Members' Travelling Allowance Bill. 1950.

Sir,

With reference to article 200 of the Constitution of India, I am directed to forward herewith for the assent of His Excellency the Governor the authentic copy of the Bombay Legislature Members' Travelling Allowance Bill. 1950 which was read for the third time and passed at the meetings of the Bombay Legislative Assembly and the Bombay Legislative Council held on the 25th and the 26th October 1950, respectively.

2. The subject-matter of the Bill falls under entry 38 in List II in the Seventh Schedule to the Constitution of India. As the Bill does not relate to any matter enumerated in the Concurrent Legislative List, it is not necessary to reserve the Bill for the consideration of the President with reference to article 254(2) of the Constitution of India.

3. The date on which His Excellency the Governor's assent is given may kindly be entered in the endorsement.

4. I also forward herewith one copy of the each of the

1. Bill as introduced in the Bombay Legislative Assembly with the Statement of Objects and Reasons.	Items Nos. 1, 2 and 4 and two
2. Bill as read for the third time and passed by the Bombay Legislative Assembly and as introduced in the Bombay Legislative Council.	

S.A.K.
20-7
4 copies

3. Bill as read for the third time and passed by the B ombay Legislative Council.	)	copies
4. Extracts from the proceedings of the Bombay Legislative Assembly dated the 25th October 1950 and of the Bombay Legislative Council dated the 26th October 1950.	)	of item No. 3 of

the papers noted in the margin. The Bill was not referred to a Select Committee.

Years faithfully.

Sd/-J.R.Dhurandhar.
18-11

Additional Secretary to Government.

S.A.K.
20-7
4 copies

FROM

THE SECRETARY TO THE GOVERNOR OF BOMBAY.

TO

The Additional Secretary to Government,

Legal Department.

GOVERNMENT. HOUSE.

Bombay Novr. 20th 1950.

Subject:- The Bombay Legislature Members' Travelling Allowance Bill, 1950.

Sir,

With reference to your letter No. 16162, dated November 18, 1950, I am directed to return herewith the authentic copy of the Bombay Legislature Members' Travelling Allowance Bill, 1950, with His Excellency the Governor's assent a esignified thereon.

Yours faithfully.

Sd/-

Secretary to the Governor of Bombay.

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Acts.

Publication of the Bombay Legislatute Members' Travelling Allowance Act. 1950.

GOVERNMENT OF BOMBAY.

Legal Department.
Resolution No. 16471
Bombay Castle, 23rd November 1950.

Letter to the Secretary to the Governor, No. 16162 dated the 18th November 1950.

Letter from the Secretary to the Governor No. G.S. 3503 dated the 20th November 1950.

"With reference to your letter No. 16162, dated the November 18.1950, I am directed to return herewith the authentic copy of the Bombay Legislature Members' Travelling Allowance Bill, 1950, with His Excellency the Governor's assent sign-fied thereon."

RESOLUTION: The law should be published as Bombay Act No. XLV of 1950, in the Bombay Government Gazette dated the 23rd November 1950.

2. The Act should be translated into Marathi, Gujarati, Kannada and Hindi (in Devanagari script) and the translations should be published in the Bombay Government Gazette.

By order of the Governor of Bombay.

Sd/-S.L.Chaudhari

Assistant Secretary to Government.

To

The Manager Government Central Press, Bombay (with a copy of the Act and with a request that 30 Gazette copies of the Act may be forwarded to the Legislative Legal Department.
*The Oriental Translator to Government.) With a
The Bombay Legislature Department.)
The Director of Information Publicaity, Bombay.) copy of the
The Enquiry Officer & for the Secretariat,)
Bombay.) Act.

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*With five extra copies of the Act .

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4 copies

REGISTERED No. B-1

The
Bombay Government Gazette
PUBLISHED BY AUTHORITY

WEDNESDAY, 12TH SEPTEMBER 1951.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART V

[To be translated into Marathi, Gujarati, Kannada and Hindi (in Devnagari script) and the translations to be published in the "Bombay Government Gazette". The dates of publication to be reported.]

The following Bill is published under the proviso to rule 80 of the Bombay Legislative Assembly Rules :—

L. A. BILL No. L OF 1951.

A Bill to amend the Bombay Essential Commodities and Cattle (Control) Act, 1946.

WHEREAS it is expedient to amend the Bombay Essential Commodities and Cattle (Control) Act, 1946, for the purposes hereinafter appearing ; It is hereby enacted as follows :—

Bom. XXII of 1946.

1. This Act may be called the Bombay Essential Commodities and Cattle (Control) (Amendment) Act, 1951. Short title.

2. In section 4 of the Bombay Essential Commodities and Cattle (Control) Act, 1946, hereinafter referred to as the said Act, in sub-section (*1*), for the words "notified order" the word "order" shall be substituted. Amendment of section 4 of Bom. XXII of 1946.

Bom. XXII of 1946.

3. In section 6 of the said Act, in clause (*a*) of sub-section (*1*), for the words "in the manner prescribed by rules made in this behalf" the words "in the *Official Gazette*" shall be substituted. Amendment of section 6 of Bom. XXII of 1946.

4. In section 16 of the said Act, the brackets and figure "(1)" and sub-section (*2*) shall be deleted. Amendment of section 16 of Bom. XXII of 1946.

STATEMENT OF OBJECTS AND REASONS.

Under section 4 read with section 6 of the Bombay Essential Commodities and Cattle (Control) Act, 1946, all orders made under section 4 are required to be published in the *Official Gazette*. In addition to the publication in the Gazette, if such orders are of a general nature or affecting a class of persons they are required to be published in the manner prescribed by rules made in this behalf and if such orders affect any individual corporation or firm or any individual person they are required to be served in the manner laid down in clauses (*b*) and (*c*) of sub-section (*1*) of section 6. The present procedure has been found cumbrous and inconvenient and at times the object of issuing an order was delayed or defeated by the unavoidable loss of time involved in completing the formalities. In the case of orders of a general nature publication in the *Official Gazette* is considered sufficient. In the case of orders affecting individuals publication in the Gazette is unnecessary and it is enough if the individual affected is served with the order. The present Bill is intended to simplify accordingly the procedure of publication or service of the orders issued under section 4 of the Act.

Dated the 12th September 1951. (Signed) D. N. DESAI.

By order of the Governor of Bombay,

J. R. DHURANDHAR,
Secretary to the Government of Bombay,
Legal Department.

Poona, dated the 12th September 1951.

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.

129

L. A. BILL No. L OF 1951.

A Bill to amend the Bombay Essential Commodities and Cattle (Control) Act, 1946.

(As read for the third time and passed by the Legislative Assembly on the 21st September 1951.)

WHEREAS it is expedient to amend the Bombay Essential Commodities and Cattle (Control) Act, 1946, for the purposes hereinafter appearing; It is hereby enacted as follows :—

Bom. XXII of 1946.

1. This Act may be called the Bombay Essential Commodities and Cattle (Control) (Amendment) Act, 1951. Short title.

Bom. XXII of 1946.

2. In section 4 of the Bombay Essential Commodities and Cattle (Control) Act, 1946, hereinafter referred to as the said Act, in sub-section (*1*), for the words " notified order " the word " order " shall be substituted. Amendment of section 4 of Bom. XXII of 1946.

3. In section 6 of the said Act, in clause (*a*) of sub-section (*1*), for the words " in the manner prescribed by rules made in this behalf " the words " in the *Official Gazette* " shall be substituted. Amendment of section 6 of Bom. XXII of 1946.

4. In section 16 of the said Act, the brackets and figure " (1) " and sub-section (*2*) shall be deleted. Amendment of section 16 of Bom. XXII of 1946.

MO-V Bk Hb 234—1

131

STATEMENT OF OBJECTS AND REASONS.

Under section 4 read with section 6 of the Bombay Essential Commodities and Cattle (Control) Act, 1946, all orders made under section 4 are required to be published in the *Official Gazette*. In addition to the publication in the Gazette, if such orders are of a general nature or affecting a class of persons they are required to be published in the manner prescribed by rules made in this behalf and if such orders affect any individual corporation or firm or any individual person they are required to be served in the manner laid down in clauses (*b*) and (*c*) of sub-section (*1*) of section 6. The present procedure has been found cumbrous and inconvenient and at times the object of issuing an order was delayed or defeated by the unavoidable loss of time involved in completing the formalities. In the case of orders of a general nature publication in the *Official Gazette* is considered sufficient. In the case of orders affecting individuals publication in the Gazette is unnecessary and it is enough if the individual affected is served with the order. The present Bill is intended to simplify accordingly the procedure of publication or service of the orders issued under section 4 of the Act.

Dated the 12th September 1951. D. N. DESAI.

Government of Bombay

LEGAL DEPARTMENT

[L. A. BILL No. L OF 1951.]

(As read for the third time and passed by the Legislative Assembly on the 21st September 1951.)

A Bill to amend the Bombay Essential Commodities and Cattle (Control) Act, 1946.

[Shri D. N. DESAI, M.L.A.]

MO-V Bk Hb 234—2

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.

REGISTERED No. B-1

The
Bombay Government Gazette
PUBLISHED BY AUTHORITY
SATURDAY, 20TH OCTOBER 1951.

NOTE separate paging is given to this Part in order that it may be filed as a separate compilation.

PART IV

Acts of the Bombay Legislature and Ordinances promulgated and Regulations made by the Governor.

CONTENTS.

PAGES

BOMBAY ACT No. XXXVII OF 1951—An Act to amend the Bombay Essential Commodities and Cattle (Control) Act, 1946 206–207

The following Act of the Bombay Legislature having been assented to by the Governor on the 16th October 1951 is hereby published for general information.

J. R. DHURANDHAR,
Secretary to the Government of Bombay,
Legal Department.

BOMBAY ACT No. XXXVII OF 1951.

(First published, after having received the assent of the Governor, in the "Bombay Government Gazette" on the 20th October 1951.)

An Act to amend the Bombay Essential Commodities and Cattle (Control) Act, 1946.

Bom. XXII of 1946.

WHEREAS it is expedient to amend the Bombay Essential Commodities and Cattle (Control) Act, 1946, for the purposes hereinafter appearing; It is hereby enacted as follows :—

Short title.

1. This Act may be called the Bombay Essential Commodities and Cattle (Control) (Amendment) Act, 1951.

Bom. XXII of 1946.

Amendment of section 4 of Bom. XXII of 1946.

2. In section 4 of the Bombay Essential Commodities and Cattle (Control) Act, 1946, hereinafter referred to as the said Act, in sub-section (*1*), for the words "notified order" the word "order" shall be substituted.

Amendment of section 6 of Bom. XXII of 1946.

3. In section 6 of the said Act, in clause (*a*) of sub-section (*1*), for the words "in the manner prescribed by rules made in this behalf" the words "in the *Official Gazette*" shall be substituted.

Amendment of section 16 of Bom. XXII of 1946.

4. In section 16 of the said Act, the brackets an figure "(1)" and sub-section (*2*) shall be deleted.

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.